

**AN ORDINANCE
BY: COUNCILMEMBER DEBI STARNES**

02-○ -1881

**AN ORDINANCE TO AMEND THE 1982 ZONING
ORDINANCE OF THE CITY OF ATLANTA, AS
AMENDED, ENACTING A NEW 16-20C.005(2)(e);
AND FOR OTHER PURPOSES.**

**BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF
ATLANTA, as follows:**

**SECTION 1: THAT a new Section 16-20C.005(2)(e) of the Zoning Ordinance of the
City of Atlanta, as amended, is hereby enacted:**

(2) Permitted accessory uses and structures:

- e. Swimming pools, tennis courts, and similar active recreation facilities subject
to the following limitations:**
 - i. Such active recreation facilities in any yard, required or other,
adjacent to a street shall require a special exception from the urban
design commission, which special exception shall be granted only
upon finding that:**
 - (1) The location will not be objectionable to occupants of
neighboring property, or the neighborhood in general, by
reason of noise, lights, or concentrations of persons or
vehicular traffic, and**
 - (2) The area for such activity could not reasonably be located
elsewhere on the lot.**
 - ii. The urban design commission may condition any special exception for
such facilities based on concerns regarding fencing, screening or other
buffering, existence and/or location of lighting, hours of use, and such
other matters as are reasonably required to ameliorate any potential
negative impacts of the proposed facility on adjoining property
owners.**

**SECTION 2: THAT all ordinances or parts of ordinances in conflict with this
ordinance are hereby repealed.**